

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
James R. Curtis et al. )  
Serial No. 09/942,910 ) Examiner: Jeffrey C. Pwu  
Filing Date: August 31, 2001 ) Art Unit: 2143  
Patent No.: 7,047,299 ) Confirmation No. 8139  
Issued: May 16, 2006 ) Attorney Docket No. 10014656-1  
For: GENERIC CLUSTER AWARE )  
LOCK BROKER WITH USER )  
DEFINED LOCKING MODES )

## STATUS REQUEST

BOX PETITIONS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Attached is a copy of a Petition for Correction of Inventorship Under Rule 1.48 and supporting Verified Statements of Eric M. Soderberg and James Russell Curtis and an executed Combined Declaration and Power of Attorney of Eric M. Soderberg. These documents were filed with the U.S. Patent and Trademark Office on October 31, 2001.

Applicant's request to know the status of this Petition.

The above application issued as Patent 7,047,299 on May 16, 2006.

Respectfully submitted,  
KLAAS, LAW, O'MEARA & MALKIN, P.C.

By: William P. O'Meara

William P. O'Meara  
Registration No. 29,962  
1999 Broadway, Suite 2225  
Denver, Colorado 80202  
Telephone: (303) 298-9888  
Date: August 14, 2009

420503-365(10014656-1)(12188)

Attorney Docket Number

October 31, 2001

Date of filing enclosed papers

RE: A GENERIC CLUSTER AWARE LOCK BROKER WITH USER DEFINED LOCKING MODES

**Application No.:** 09/942,910

**Filing date:** August 31, 2001

Patent No.:

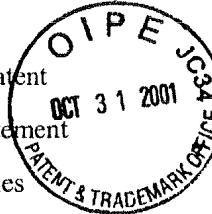
Issue date:

**Applicant/Inventor:** James R. CURTIS et al.

The following items/fees were received from Dorsey & Whitney, Washington, D.C., by the U.S. Patent & Trademark Office:

## ITEMS

PCT Request (5) Pages & PCT fee calculation sheet  
 Petition for Correction of Inventorship Under Rule 1.48(a)  
 Verified Statement of E. Soderberg Under Rule 1.48(a)  
 Verified Statement of J. Curtis Under Rule 1.48(a)  
 Executed Combined Declaration and Power of Attorney  
 Response to Notice to File Missing Parts of Application  
 Certificate of Correction  
 Request for Certificate of Correction of Patent  
 Supplemental Information Disclosure Statement  
 IDS w/PTO - 1449 form w/reference copies  
 Letter to Draftsman  
 Issue Fee Transmittal PTOL Form 85B  
 Issue Fee Transmittal Letter  
 Amendment Under 37 CFR § 1.312(a)  
 Assignment w/Recordation cover Sheet  
 New U.S. Provisional Patent/Design Application (12 sheets)  
 National Stage Application  
 Translation of National Stage  
 Priority Document - CC of .....App. # Date  
 Notice of Opposition  
 Petition/Request for EOT  
 Amendment  
 Status Check Inquiry


  
**OTHER ITEMS**  
 R'qst. For Corrected Assignment  
 w/new recordation sheet and e  
  
 New App. Receipt Post Card sel  
 Fee Transmittal Sheet  
 Filing fee  
 Claim to priority  
 Additional Claim fees  
 Recordation/Indexing fee  
 Issue Fee  
 Extension of Time Fee  
 **TOTAL FEES = \$**  
**To be charged to Deposit Ac**  
**No. 08-2025**  
**RETURN DATE-STAMP**  
**BLUE SHEET TO:**  
*Wylie Williams* 200  
**TEL. (202) 824-8800**

**To be charged to Deposit Account**

RECEIVED

**RETURN DATE-STAMPED**

RECORDED  
BLUE SHEET TO

Wylie Williams **Rocky**

*Wylie Williams*  
TEL (202) 824-8800

TEL. (202) 824-8800 11/1/61

116

*W.W.*

**DOCKET NO.: 10014656-1**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): James R. CURTIS et al.

Serial No.: 09/942,910

Examiner: n/a

Filed: August 31, 2001

Group: n/a

## For: A GENERIC CLUSTER AWARE LOCK BROKER WITH USER DEFINED LOCKING MODES

**PETITION FOR CORRECTION OF INVENTORSHIP  
UNDER RULE 1.48(a)**

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

1. This amendment and petition is to correct the incorrect original naming of inventor(s) under 37 CFR 1.48(a).
2. Please add the following previously unnamed person as an inventor of this application:

Eric M. SODERBERG

3. Attached is:
  - a. A statement of facts verified by the original named inventor establishing when the error without deceptive intention was discovered and how it occurred;
  - b. A statement of facts verified by the above added named inventor establishing when the error without deceptive intention was discovered and how it occurred and what actions should be taken to correct the error; and
  - c. A declaration by each of the actual inventor(s) as required by 37 CFR 1.63.

Petition to Correct Inventorship  
Application No. 09/942,910  
Docket No. 10014656-1  
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The applicable petition fee of \$130.00 pursuant to 37 CFR 1.17(h) is submitted herewith. Please charge any underpayment or credit any overpayment to our Deposit Account Number 04-1425, and advise us accordingly. A duplicate copy of this communication is submitted for that purpose.

Respectfully submitted,



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Ami P. Shah, Reg. No. 42,143  
DORSEY & WHITNEY LLP  
1001 Pennsylvania Avenue, N.W.  
Suite 300 South  
Washington, DC 20004  
Tel. (202) 824-8800/(703) 288-5251  
Fax (202) 824-8990

Date: October 31, 2001

DOCKET NO.: HP 10014656-1

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): James R. CURTIS, et al.

Serial No.: 09/942,910 Examiner: n/a

Filed: August 31, 2001 Group: n/a

## For: A GENERIC CLUSTER AWARE LOCK BROKER WITH USER DEFINED LOCKING MODES

**VERIFIED STATEMENT OF**  
**ERIC MARTIN SODERBERG**  
**UNDER RULE 1.48(a)**

I, Eric Martin SODERBERG hereby declare as follows:

1. I am currently employed by Hewlett-Packard Company. At the time the invention disclosed and claimed in the above-identified patent application was being conceived, I was employed by Hewlett-Packard Company.

2. During my employment with Hewlett-Packard Company, I collaborated with James Russell CURTIS. This collaboration resulted in the conception of the invention disclosed and claimed in the above-identified patent application.

3. After August 31, 2001, James Russell CURTIS notified me that the above-identified patent application had been filed on August 31, 2001, naming James Russell CURTIS as the sole inventor.

Declaration of  
Eric Martin SODERBERG  
Application No. 09/942,910  
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4. I have reviewed and understood the contents of the specification including the claims.

5. I declare that I was a contributing inventor of the apparatus and methods disclosed and claimed in the above-identified patent application.

6. I further declare that my name was omitted from the original declaration through error and without any deceptive intent.

7. My patent agent, Christopher Keith Montgomery recommended that I be added to this application as a joint inventor. I agree with my patent agent that the inventorship of the above-identified patent application should be corrected to include both James Russell CURTIS and myself as joint inventors since we each contributed to the conception of the invention.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the above referenced application or any patent issuing thereon.

Date: 10/17/2001

  
Eric Martin SODERBERG

DOCKET NO.: 10014656-1

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): James R. CURTIS, et al.

Serial No.: 09/942,910

Examiner: n/a

Filed: August 31, 2001

Group: n/a

## For: A GENERIC CLUSTER AWARE LOCK BROKER WITH USER DEFINED LOCKING MODES

**VERIFIED STATEMENT OF**  
**JAMES RUSSELL CURTIS**  
**UNDER RULE 1.48(a)**

I, James Russell CURTIS hereby declare as follows:

1. I am listed as the original and sole inventor on the declaration executed on August 31, 2001, and filed in the above-identified patent application on August 31, 2001.

2. I am one of the joint inventors of the subject matter of the above-identified patent application.

3. I am currently employed by Hewlett-Packard Company. At the time the invention disclosed and claimed in the above-identified patent application was being conceived, I was employed by Hewlett-Packard Company.

4. On August 31, 2001, I discovered that the above-identified patent application had been filed on August 31, 2001, naming myself as the sole inventor.

Declaration of  
James Russell CURTIS  
Application No. 09/942,910  
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5. During my employment with Hewlett-Packard Company, I collaborated with Eric Martin SODERBERG. This collaboration resulted in the conception of the invention disclosed and claimed in the above-identified patent application.

6. I declare that Eric Martin SODERBERG was a contributing inventor of the apparatus and processes disclosed and claimed in the above-identified patent application.

7. I further declare that Eric Martin SODERBERG's name was omitted from the original declaration through error and without any deceptive intent.

8. Before August 31, 2001, when I executed the original declaration for the above-identified patent application, I had reviewed and understood the contents of the specification including the claims.

9. Before August 31, 2001, I notified John KENNEDY, the patent attorney who prepared the above-identified patent application, that Eric Martin SODERBERG should be included as an inventor in the above-identified patent application.

10. When I executed the original declaration on August 31, 2001, I believed that the original declaration would be sent to Eric Martin SODERBERG after I executed the declaration, and that Eric Martin SODERBERG would be included as an inventor in the above-identified patent application.

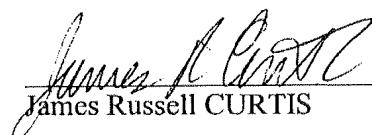
Declaration of  
James Russell CURTIS  
Application No. 09/942,910  
Docket No. 10014656-1  
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11. After executing the original declaration and forwarding the original declaration to the offices of DORSEY & WHITNEY LLP, patent counsel for Hewlett-Packard Company, I learned that Eric Martin SODERBERG was not included as an inventor in the above-identified patent application.

12. On September 4, 2001, I notified John KENNEDY that Eric Martin SODERBERG was not on the original declaration, and that Mr. SODERBERG should be added as an inventor in the above-identified patent application.

13. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the above referenced application or any patent issuing thereon.

Date: 10/25/2001



James Russell CURTIS

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATIONATTORNEY DOCKET NO. 10014656-1

As a below named inventor, I hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**A GENERIC CLUSTER AWARE LOCK BROKER WITH USER DEFINED LOCKING MODES**

The specification of which is attached hereto unless the following box is checked:

(X) was filed on 08/31/01 as US Application No. or PCT International Application Number 09/942,910 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

**Foreign Application(s) and/or Claim of Foreign Priority**

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES: _____ NO: _____
			YES: _____ NO: _____

**Provisional Application**

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION NUMBER	FILING DATE

**U. S. Priority Claim**

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION NUMBER	FILING DATE	STATUS (patented/pending/abandoned)

**POWER OF ATTORNEY:**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Customer Number 022879Place Customer  
Number Bar Code  
Label hereSend Correspondence to:  
**HEWLETT-PACKARD COMPANY**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

Direct Telephone Calls To:

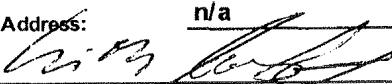
T. Grant Ritz  
(970) 898-0697

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: James R. CURTISCitizenship: USResidence: Placerville, CA 95666Post Office Address: n/aInventor's Signature James R. CurtisDate 10/29/2001

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION (continued)**

ATTORNEY DOCKET NO. 10014656-1

Full Name of # 2 joint inventor: Eric M. SODERBERG Citizenship: U.S.  
Residence: Mountain View, CA 94041  
Post Office Address: n/a  
Inventor's Signature  Date 10/19/2001

Full Name of # 3 joint inventor: \_\_\_\_\_ Citizenship: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of # 4 joint inventor: \_\_\_\_\_ Citizenship: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of # 5 joint inventor: \_\_\_\_\_ Citizenship: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of # 6 joint inventor: \_\_\_\_\_ Citizenship: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of # 7 joint inventor: \_\_\_\_\_ Citizenship: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Full Name of # 8 joint inventor: \_\_\_\_\_ Citizenship: \_\_\_\_\_  
Residence: \_\_\_\_\_  
Post Office Address: \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_